

In the
Indiana Supreme Court

IN THE MATTER OF)
THE APPOINTMENT OF A) Case No. 35S00-0605-MS-167
JUDGE PRO TEMPORE IN THE)
HUNTINGTON CIRCUIT COURT)

ORDER APPOINTING JUDGE *PRO TEMPORE*

By *Verified Petition for Appointment of a Full-time Pro Tempore Judge of the Huntington Circuit Court* filed on May 4, 2006, members of the Huntington County Bar Association suggested to the Court the need for the appointment of a full-time judge *pro tempore* for the Huntington Circuit Court as a result of the unfortunate illness of the presiding judge, the Hon. Mark A. McIntosh. On May 12, 2006, pursuant to Ind. Trial Rule 63(B), we issued an Order permitting Judge McIntosh or his representative to provide any observations or statements regarding the petition in writing, should they wish. This Order provided that any response should be filed by May 26, 2006, and that in the absence of a response, the Court would proceed accordingly. This Order was mailed to Judge McIntosh by regular mail on May 15, 2006, and hand delivered to Judge McIntosh's Administrative Assistant that same day.

Having received no response from Judge McIntosh, or his representative, we now find that the *Verified Petition for Appointment of a Full-time Pro Tempore Judge of the Huntington Circuit Court* is well taken and that Judge McIntosh is currently unable to perform the duties of his office. Further, this Court has been advised that Thomas M. Hakes, an attorney in good standing in this state, is willing to serve as Judge *Pro Tempore* in the Huntington Circuit Court.

IT IS, THEREFORE, ORDERED that Thomas M. Hakes, is appointed as Judge *Pro Tempore* in the Huntington Circuit Court, effective June 19, 2006, until Judge McIntosh establishes by petition his ability to resume his duties, Judge McIntosh's term of office expires, or until further order of this Court. This order shall be sufficient authority for Judge Hakes to continue the employment of court personnel and otherwise discharge the duties of Judge of the

Huntington Circuit Court. Judge Hakes shall be entitled to compensation for this service, paid by the State of Indiana, computed at the same rate as the regular judge commencing from the effective date of his appointment, pursuant to T.R. 63(D).

The Clerk of this Court is directed to forward a certified copy of this Order to the Clerk of the Huntington Circuit Court, who is directed to enter this Order into the Record of Judgments and Orders; to the Hon. Mark A. McIntosh, Huntington Circuit Court, 201 North Jefferson Street, #301, Huntington, IN 46750-2800; to Thomas M. Hakes, 16 East Market Street, Huntington, IN 46750; to the Division of State Court Administration, payroll department; and to the Indiana Judicial Center.

DONE at Indianapolis, Indiana, this _____ day of May, 2006.

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.